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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,956	12/09/2003	Takamitsu Suzuki	01-524	2733

23400 7590 06/03/2005

POSZ LAW GROUP, PLC
12040 SOUTH LAKES DRIVE
SUITE 101
RESTON, VA 20191

EXAMINER	
BEHNCKE, CHRISTINE M	
ART UNIT	**PAPER NUMBER**
3661	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/729,956	SUZUKI, TAKAMITSU	
	Examiner	Art Unit	
	Christine M. Behncke	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12/9/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the application filed 09 December 2003, in which claims 1-9 were presented for examination.

Specification

2. The disclosure is objected to because of the following informalities:

page 6, line 21: "sensor 22b" should be changed to --sensor 23b--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Gorai et al., US Patent No. 6,282,492.

4. (**Claim 1**) Gorai et al. discloses a navigation device comprising: a storage medium managing unit for reading road data including road shape data from a storage medium (data storage means 103, Column 15, lines 36-47); a communications unit for receiving guidance route data including road shape data from a server via a communications network (data communication section 108, navigation center 150); and a route guidance executing unit for executing route guidance by using the road data

read by the storage medium managing unit and the guidance route data received by the communications unit (route guidance data storing section 1032, Column 16, lines 46-58), wherein the route guidance executing unit designates road data relevant to the guidance route data from the road data read by the storage medium managing unit through executing matching between the road shape data received by the communications unit and the road shape data read by the storage medium managing unit (Column 19, line 40-Column 20, line 11), and wherein the route guidance executing unit then executes the route guidance after reflecting the guidance route data on the road data relevant to the guidance route data (figure 7).

5. (**Claim 2**) Gorai et al. further discloses wherein the communications unit receives the guidance route data including road attribute data (Column 19, lines 11-29), and wherein the route guidance executing unit executes the matching by also using the road attribute data (Column 19, line 57-Column 20, line 11 and Column 21, lines 35-48).

6. (**Claim 3**) Gorai et al. further discloses wherein the route guidance executing unit executes the route guidance after correcting the designated road data relevant to the guidance route data by using the guidance route data (Column 21, line 48-Column 22, line 42).

7. (**Claim 4**) Gorai et al. further discloses wherein the storage medium managing unit can execute rewriting on the storage medium (Column 18, lines 8-31), and wherein the route guidance executing unit makes the storage medium managing unit correct, by using the guidance route data, the designated road data that is relevant to the guidance route data and is stored in the storage medium (Column 18, lines 8-31 and lines 46-51).

8. (**Claim 5**) Gorai et al. further discloses wherein, when no road data relevant to the guidance route data is designated from the road data read by the storage medium managing unit through executing matching, the route guidance executing unit executes the route guidance by adding the guidance route data to the road data read by the storage medium managing unit (Column 21, line 35-Column 22, line 42).

9. (**Claim 6**) Gorai et al. further discloses wherein, when no road data relevant to the guidance route data is designated from the road data read by the storage medium managing unit through executing matching, the route guidance executing unit makes the storage medium managing unit add the guidance route data to the storage medium (Column 18, lines 8-31 and lines 46-51 and Column 21, line 35-Column 22, line 42).

10. (**Claim 7**) Gorai et al. discloses a server (navigation center 150) comprising: a computing unit for computing guidance route data for a guidance route based on a starting point and a destination (system control section 152); and a communications unit for sending the computed guidance route data to a navigation device via a communications network (data communication section 151), wherein the computed guidance route data includes road shape data indicating a road shape (Column 19, lines 8-29).

11. (**Claim 8**) Gorai et al. further discloses wherein the computed guidance route data includes road attribute data indicating a road attribute (Column 19, lines 8-29 and figures 6a-b).

12. (**Claim 9**) Gorai et al. discloses a computer program product including a computer readable medium used for executing route guidance in a navigation system having: a storage medium managing unit for reading road data including road shape data from a storage medium (data storage means 103, Column 15, lines 36-47); and a communications unit for receiving guidance route data from a server via a communications network (data communication section 108, navigation center 150), the computer program product comprising: instructions for reading the road data including the road shape data from the storage medium (Column 19, line 57-Column 20, line 11); instructions for receiving the guidance route data including road shape data from the server (Column 19, lines 50-56); instructions for designating road data relevant to the guidance route data from the road data read from the storage medium through executing matching between the road shape data received from the server and the road shape data read from the storage medium (Column 21, line 35-Column 22, line 42); and instructions for executing the route guidance after reflecting the guidance route data on the road data relevant to the guidance route data (figures 7 and 13 and Column 22, lines 37-42).

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine M. Behncke whose telephone number is (571) 272-8103. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

05/27/2005

THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3600